

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD BALBO,

Defendant.

2:10-CR-165-ECR (LRL)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on September 14, 2010, defendant DONALD BALBO pled guilty to Count One of a Two-Count Criminal Indictment charging him with Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2).

This Court finds defendant DONALD BALBO agreed to the forfeiture of property set forth in Forfeiture Allegation of the Criminal Indictment.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant DONALD BALBO pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Sections 2253(a)(1) and 2253(a)(3):

- a. any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed shipped, or received; computer images, including movie and still image files, depicting

1 a minor engaging in sexually explicit conduct and the diskettes and hard drives
2 on which they are maintained; and

3 b. a Sandisk Cruzer USB flash drive, Serial Number BH0802JSMB.

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
9 DONALD BALBO in the aforementioned property is forfeited and is vested in the United States of
10 America and shall be safely held by the United States of America until further order of the Court.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
12 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
13 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
14 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
15 the name and contact information for the government attorney to be served with the petition, pursuant
16 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
18 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
20 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
21 following address at the time of filing:

22 Daniel D. Hollingsworth
23 Assistant United States Attorney
24 Michael A. Humphreys
25 Assistant United States Attorney
26 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 16th day of September, 2010.

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8 The signature is written in black ink and appears to read "Edward C. Reed." with a stylized flourish at the end.

9 UNITED STATES DISTRICT JUDGE
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